IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA – PITTSBURGH DIVISION

WILLIAM E. EIKEY and CHERYL EIKEY,

C.A. No.: 2:06-CV-121

husband and wife,

The Honorable Gary L. Lancaster

Plaintiffs,

Electronic Filing

v.

EMERALD COAL RESOURCES, L.P., f/k/a RAG EMERALD RESOURCES, L.P., and PENNSYLVANIA LAND HOLDINGS CORPORATION, collectively, t/d/b/a EMERALD MINE,

Defendants.

ORDER OF COURT

IT IS SO ORDERED that defendants' Motion to Withdraw Motion to Strike Plaintiffs' Supplemental Pretrial Statement is granted.

Entered this the 10th day of 14A

The Honorable Gary L. Lancaster